

## 2. Claims 3, 5, 10, 12, 16, 18, and 22

The Examiner has rejected Claims 3, 5, 10, 12, 16, 18, and 22 under 35 U.S.C. § 103(a) as obvious over Leibowitz et al. in view of McSwiggen et al. and in view of U.S. Patent No. 5,648,480 (Letsinger et al.). According to the Examiner, Letsinger et al. describes the oligonucleotide shown in SEQ ID NO:1 containing a phosphoramidate linkage. Therefore, the Examiner has indicated that it would have been obvious to use the oligonucleotides of McSwiggen and the phosphoramidate linkages of Letsinger et al. in the method of Leibowitz et al.

Applicants submit that the Examiner has failed to establish a *prima facie* case of obviousness. As discussed in the preceding section, neither Leibowitz et al. nor McSwiggen et al. teaches or suggests an oligonucleotide that is capable of binding with the 5' internal guide sequence of a Group I intron in a precursor RNA to inhibit self-splicing of the Group I intron, as required by Claims 3, 5, and 22. Moreover, neither of these references teach or suggest an oligonucleotide that is capable of being trans-spliced to the 3' exon of such a precursor RNA, as required by Claims 3, 5, 10, 12, 16, 18, and 22. Applicants additionally submit that Letsinger et al. does not teach or suggest the use of nucleotides having at least one N3' or P5' phosphoramidate linkage or N3' or P5' thiophosphoramidate linkage that is capable of binding with the 5' internal guide sequence of a Group I intron in a precursor RNA and/or that is capable of being trans-spliced to the 3'exon of such a precursor RNA, as required by Claims 3, 5, 10, 12, 16, 18, and 22. Therefore, the cited references, alone or in combination, fail to teach or suggest all the limitations of applicants' claimed invention. Accordingly, applicants respectfully request withdrawal of this ground of rejection.

### 3. Claims 6 and 19

The Examiner has rejected Claims 6 and 19 over Leibowitz et al. in view of U.S. Patent No. 6,180,339 (Sandhu et al.). According to the Examiner, Sandhu et al. describes a precursor ribosomal RNA from *Candida albicans*, and it would have been obvious to this precursor ribosomal RNA in the method of Leibowitz et al.

Applicants submit that the Examiner has failed to establish a *prima facie* case of obviousness. As discussed in the preceding section, Leibowitz et al. fails to teach or suggest an oligonucleotide that is capable of binding with the 5' internal guide sequence of a Group I intron in a precursor RNA to inhibit self-splicing of the Group I intron, as required by Claim 6. Moreover, Leibowitz does not teach or suggest an oligonucleotide that is capable of being trans-spliced to the 3' exon of such a precursor RNA, as required by Claims 6 and 19. Applicants additionally submit that Sandhu et al. does not teach or suggest a nucleotide that is capable of binding with the 5' internal guide sequence of precursor ribosomal RNA from *Candida albicans* and/or that is capable of being trans-spliced to a 3'exon of precursor ribosomal RNA from *Candida albicans*, as required by Claims 6 and 19. Therefore, the cited references, alone or in combination, fail to teach or suggest all the limitations of applicants' claimed invention. Accordingly, applicants respectfully request withdrawal of this ground of rejection.

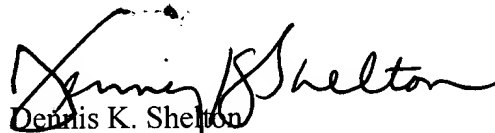
LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>LLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

Conclusion

In view of the foregoing remarks, applicant believes that Claims 1-22 are in condition for allowance. If any issues remain that may be expeditiously addressed in a telephone interview, the Examiner is encouraged to telephone applicant's attorney at 206-695-1718.

Respectfully submitted,

CHRISTENSEN O'CONNOR  
JOHNSON KINDNESS<sup>PLLC</sup>

  
Dennis K. Shelton  
Registration No. 26,997  
Direct Dial No. 206.695.1718

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: 9/24/2003

  
Carole Julian

DKS:KBB

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100